

ORDINANCE 1678

AN ORDINANCE VACATING A PORTION OF A STORM SEWER & SURFACE WATER FLOWAGE EASEMENT LOCATED ON OUTLOT Y IN CASCADE FALLS PLAT 1.

WHEREAS, pursuant to notice published in the manner required by law, on the 20th day of September, 2010, this Council held a public hearing on a proposal to vacate a portion of a storm sewer and surface water flowage easement as hereafter described; and

WHEREAS, this Council finds that all public purpose is served by the remaining storm sewer and surface water flowage easement and from the ability to widen the easement on the adjacent property, Outlot Z, Cascade Falls Plat 1; and

WHEREAS, this Council has determined that it is in the best interest of the citizens of Ankeny that the said portion of the easement be vacated.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Ankeny, Iowa, as follows:

Storm Sewer & Surface Water Flowage Easement recorded in Book 13050 Pages 868-890 of the records of the Polk County Recorder said easement being legally described as follows:

COMMENCING AT THE NORTHWEST CORNER OF OUTLOT Y, CASCADE FALLS PLAT 1, AN OFFICIAL PLAT, LOCATED IN THE CITY OF ANKENY, POLK COUNTY, IOWA; THENCE NORTH 89 DEGREES 53 MINUTES 25 SECONDS EAST, ALONG THE NORTH LINE OF SAID OUTLOT Y, A DISTANCE OF 50.00 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE OF OUTLOT Y, NORTH 89 DEGREES 53 MINUTES 25 SECONDS EAST, A DISTANCE OF 59.80 FEET; THENCE SOUTH 26 DEGREES 57 MINUTES 18 SECONDS WEST, A DISTANCE OF 65.75 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 270.00 FEET; THENCE SOUTH 19 DEGREES 04 MINUTES 11 SECONDS WEST, TO THE SOUTH LINE OF SAID OUTLOT Y, A DISTANCE OF 61.37 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID SOUTH LINE OF OUTLOT Y, A DISTANCE OF 9.95 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 386.49 FEET, TO THE POINT OF BEGINNING. CONTAINING 0.27 ACRES MORE OR LESS.

Section 2. Repeal. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Effective date. This ordinance shall be in effect upon its final passage and publication as required by law.

PASSED AND APPROVED this _____ day of _____, 2010.

Steven D. Van Oort, Mayor

Attest:

Pamela DeMouth, City Clerk

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